

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2697 – HB 2890

February 14, 2012

**SUMMARY OF AMENDMENT (013063):** Deletes all language after the enacting clause. Redefines “violent offender” relative to drug court treatment program eligibility and authorizes a person who has been charged with, but not convicted of, a violent felony offense to participate in a treatment program. Specifies that in determining whether a defendant is a “violent offender,” it does not matter whether one or more of the following circumstances is or is not an element of the offense for which the person is convicted: the person carried, possessed or used a firearm or dangerous weapon; there occurred the death of or serious bodily injury to any person; or there occurred the use of force against the person of another.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendment:

- Under current law, a violent offender is a person charged with, or convicted of, an offense during the course of which the person carried, possessed, or used a firearm or dangerous weapon; death of or serious bodily injury to any person occurred; or the use of force against the person of another occurred regardless of whether those factors constitute an element of the charged or convicted offense.
- Redefining violent offender may increase or decrease the number of offenders eligible to participate in the drug court treatment program but it will not result in a significant fiscal impact to state or local government.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/lsc

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